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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

CHEYENNE ROSS,

Plaintiff,

vs.

**STATE OF OREGON, ACTING BY
AND THROUGH THE
LEGISLATIVE POLICY AND
RESEARCH OFFICE**

Defendant.

Case No:

COMPLAINT

**DISCRIMINATION IN PAY ON THE
BASIS OF SEX IN VIOLATION OF THE
FEDERAL EQUAL PAY ACT, 29 USC §
206**

DEMAND FOR JURY TRIAL

Plaintiff alleges:

NATURE OF THE ACTION

1. This is an action for monetary damages, including back pay, liquidated damages and attorney fees and costs, by Plaintiff Cheyenne Ross against the State of Oregon Legislative Policy and Research Office. Plaintiff brings this action against the State of Oregon to redress pay inequity on the basis of sex in violation of the federal Equal Pay Act, 29 U.S.C. § 206.

JURISDICTION AND VENUE

2. Jurisdiction is conferred upon this Court by 28 U.S.C. § 1331, federal question jurisdiction, and 28 U.S.C. § 1343, civil rights jurisdiction.
3. Venue is in the District of Oregon pursuant to 28 U.S.C. § 1391(b) because the claims arose in this judicial district and Defendant resides in this district.

PARTIES

4. Plaintiff Cheyenne Ross is a resident of Salem, Marion County, Oregon. Plaintiff is an analyst and continuing staff member of the Oregon Legislature's Legislative Policy and Research Office.
5. Defendant State of Oregon is a governmental entity. The Legislative Policy and Research Office (hereinafter "LPRO") is an agency within the legislative branch of the State of Oregon that serves as the research arm for the Oregon Legislature.

CLAIM FOR RELIEF

Discriminatory Pay Based on Sex in Violation of 29 USC § 209(d)

6. Plaintiff became employed with the Oregon Legislature in 2009 as part of its Committee Services department.
7. In 2016 the Oregon Legislature decided to expand and rename its Committee Services department the Legislative Policy and Research Office ("LPRO"). New employees were hired in approximately December of 2016 to achieve the expansion, and changes became formal and effective July 1, 2017. Committee Services, now LPRO, provides objective and non-partisan research and committee staff to Oregon's legislative branch of government.

Plaintiff became an employee of LPRO upon its inception and has been an employee of Defendant State of Oregon and LPRO since that time.

8. Plaintiff is female and is a member of a protected class pursuant to 29 USC § 206.

9. Defendant State of Oregon acting by and through its Legislative Policy and Research Office is subject to the federal Equal Pay Act, 29 USC § 206.

10. Plaintiff has experience as a lawyer in both the private and public sectors. Plaintiff also has extensive experience as an analyst for state government, conducting research and policy analysis and providing staff coverage for legislative committees. Despite this extensive experience, Plaintiff has been paid less than her male co-workers who have the same or less experience, and for the same or comparable work performed. One male analyst with comparable skills, experience and responsibility was paid 40% more than Plaintiff – a difference of over \$30,000 per year.

11. In April and May of 2018, after several months of LPRO employees raising concerns about unfair salary disparities, the legislative branch undertook an urgent reshuffling of LPRO personnel. In those two months resumes were requested from LPRO employees, position descriptions were altered, new salary ranges were announced, and LPRO personnel were informed of their new placements within the altered structure. Plaintiff was informed her salary was being increased by approximately \$14,000 annually, effective June 1, 2018. Despite those changes, a significant pay inequity continues to exist between Plaintiff and her male co-workers.

12. Based on the foregoing, since at least December of 2016, Defendant has discriminated against Plaintiff by paying her less than her male co-workers for work of comparable

character, which required comparable skills. Defendant's decision to pay Plaintiff less than her male co-workers was not based on a seniority or merit system or on any factor other than the fact that Plaintiff is female. Said discrimination was and is willful.

12. Plaintiff is entitled to unpaid wages in an amount to be determined by the Court in accordance with 29 USC § 206.

13. Plaintiff is also entitled to an additional amount equal to the amount of back wages as liquidated damages.

14. Plaintiff is entitled to her attorney fees pursuant to 29 USC § 206.

PRAYER FOR RELIEF

Wherefore, Plaintiff prays for judgment against Defendant as follows:

1. For an award of back pay in an amount to be determined by the Court;
2. For an award of liquidated damages in an amount equal to her back pay;
3. For Plaintiff's attorney fees and costs incurred herein; and
4. For such other relief as the Court deems equitable.

DATED this 25th day of September 2018

/s/ Loren W. Collins
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